



**DECISION MEMO**  
**HDH MILLET NON-SYSTEM ROAD DECOMMISSIONING**  
**U.S. FOREST SERVICE**  
**FEATHER RIVER RANGER DISTRICT**  
**SIERRA COUNTY, CALIFORNIA**

**BACKGROUND**

A claimant seeking to continue placer operations on his unpatented mining claim, located on National Forest System (NFS) lands, submitted a Plan of Operations (POO). An Environmental Analysis (EA) was completed in February 2017 and on April 17, 2017 the District Ranger issued a Decision Notice (DN) to authorize the claimant's POO.

Subsequently the claimant withdrew his plan and relinquished claim to mineral exploration on the site.

The authorization included access to placer mining operations requiring motor vehicle travel on a non-system road (a legacy temporary road not maintained as part of the NFS transportation system). With the termination of the claimant's operations there is no continuing need for this non-system road. The EA analysis included reclamation of the access road in final reclamation. Without mitigation, the road will erode away the road prism and channelize sediment into Canyon Creek and other smaller streams that feed into Canyon Creek.

The Plumas National Forest Land and Resource Management Plan (Forest Plan 1988) forest-wide standards and guidelines charge the forest to close or remove roads no longer needed.

**DECISION**

I have decided to decommission the non-system road by:

- Removing any culverts;
- Constructing 20 water-bars (already flagged);
- Removing the berm on the outlet side of the forded stream crossing; armoring the crossing on the surface and outlet;
- Covering segments disturbed by activities with weed free straw;
- Revegetating the road surface within sight distance of the entrance; and
- Blocking the road at the junction with boulders or a large berm.

Mitigations required:

- Aquatics. The stream crossing is in potentially suitable habitat for the foothill yellow-legged frog, a Forest Service sensitive species. A Limited Operating Period (LOP) is necessary to mitigate any potential disturbance in the habitat.

- **Invasive Plant Species.** Reduce the potential for the introduction and/or spread of known invasive weed species in the project area by applying “avoidance mitigation” and inspecting, removing, and properly disposing of noxious weed seed and plant parts found on their clothing and equipment.
- **Water Quality.** Protect by employing hydrologic resource protection best management practices (BMP). Site specific mitigations were developed to address the steep non-system access road that is not well drained.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as 36 CFR 220.6(e)(20); *activities that restore, rehabilitate, or stabilize lands occupied by roads and trails, excluding National Forest System roads and National Forest System trails to a more natural condition that may include removing, replacing, or modifying drainage structures and ditches, reestablishing vegetation, reshaping natural contours and slopes, reestablishing drainage-ways, or other activities that would restore site productivity and reduce environmental impacts.* This category of action(s) is applicable because the authorized activities are the same as specific examples provided in 36 CFR 220.6(e)(20).

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – The project action takes place in and near potentially suitable habitat for the foothill yellow-legged frog, a Forest Service sensitive species.
- Flood plains, wetlands, or municipal watersheds – The application of best management practices (BMP) will promote proper drainage and soil stabilization to limit potential for sedimentation and compliance with the Clean Water Act.
- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – The project area is not located in a Congressionally-designated area.
- Inventoried roadless areas or potential wilderness areas – The project area is not located in an inventoried roadless area.
- Research natural areas – None are present.
- American Indians and Alaska Native religious or cultural sites – No protected areas have been identified within the project area. If new cultural resources are discovered during the course of operations, the operation will stop until the new discoveries have been surveyed. It is possible further activities may be allowed under the supervision of heritage resource specialists.
- Archaeological sites, or historic properties or areas – No protected areas have been identified within the project area. If new cultural resources are discovered during the

course of operations, the operation will stop until the new discoveries have been surveyed. It is possible further activities may be allowed under the supervision of heritage resource specialists.

## PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Plumas National Forest Schedule of Proposed Actions and updated periodically during the analysis. On November 14, 2017 the Feather River Ranger District sent letters to Estom Yumeka Tribe of Enterprise Rancheria, Tyme Maidu Tribe of Berry Creek Rancheria, Concow Maidu Tribe of Mooretown Rancheria, and 10 individuals, organizations, industry representatives, and government agencies.

On November 30, 2017 the Forest Service received telephonic comments from Moira Burke, a private land owner stating that she had concerns about access and decommissioning of forest roads as well as whether the road in question crossed her land. The question and concern were discussed and settled in a series of follow-up emails.

## FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Plumas National Forest Land Management Plan as amended by the 2004 Sierra Nevada Forest Plan Amendment (SNFPA) supplemental EIS and ROD.

This project meets the requirements of the National Historic Preservation Act of 1966, as amended and implementing procedures outlined in the Region 5 Programmatic Agreement 2013.

The project will have no effect to any threatened, endangered or candidate species and thereby complies with the Endangered Species Act of 1973.

## ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This project is not subject to appeal (36 CFR 215) or objection (36 CFR 218).

## IMPLEMENTATION DATE

This action can be implemented immediately.

## CONTACT

For additional information concerning this decision, contact: Oswaldo Angulo, District Hydrologist, Feather River Ranger District, 875 Mitchell Avenue, Oroville, CA 95965; telephone (530) 532-7425; or email [oangulo@fs.fed.us](mailto:oangulo@fs.fed.us).

*Katherine Carpenter*  
KATHERINE CARPENTER

Acting District Ranger

*12/21/2017.*  
Date



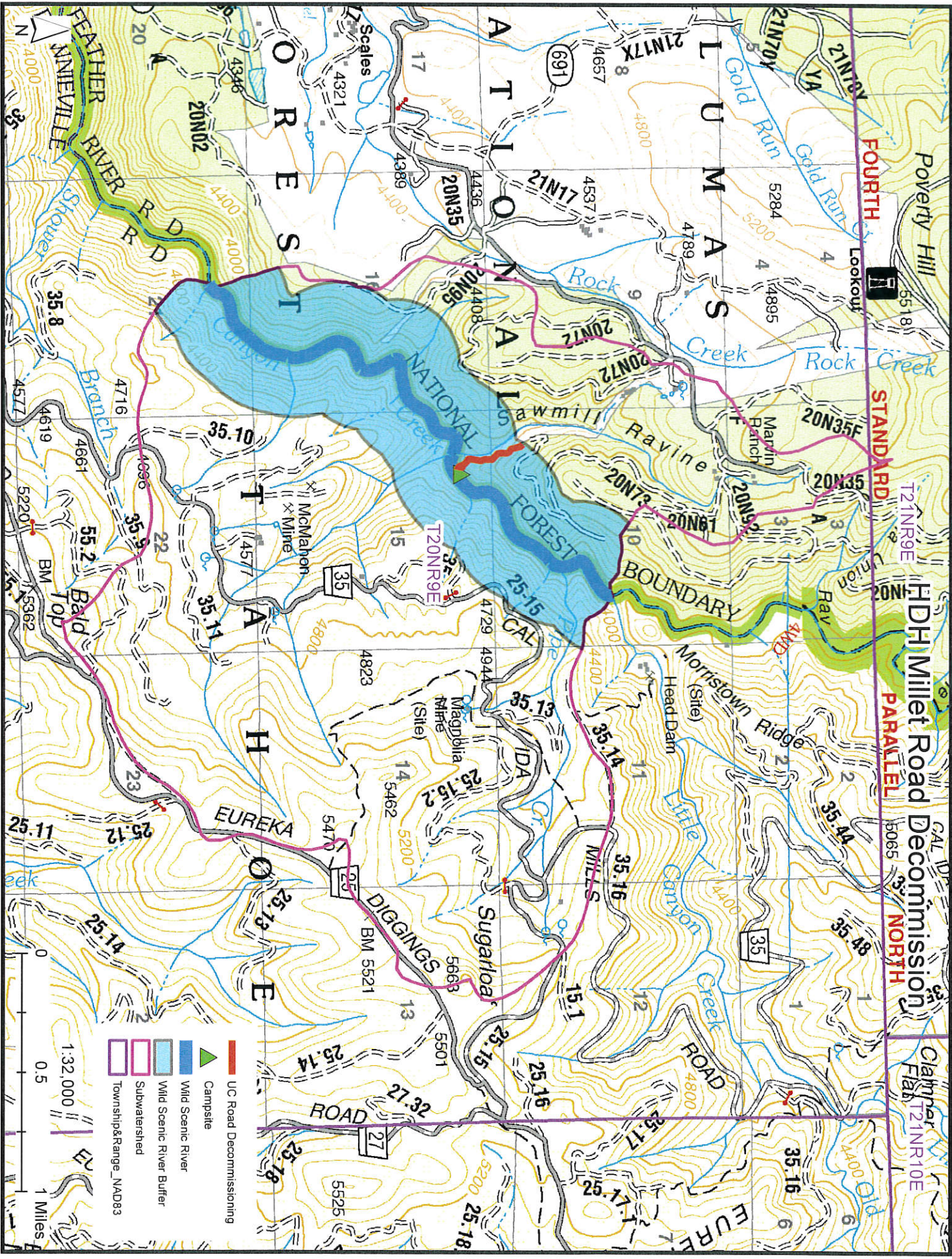
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FOURTH

STANDARD

PARALLEL

NORTH

HDH Millet Road Decommissioning

Claimer Flat T21NR10E

- UC Road Decommissioning
- Campsite
- Wild Scenic River
- Wild Scenic River Buffer
- Subwatershed
- Township&Range\_NAD83

1.32,000  
0.5  
1 Miles



